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WASHINGTON DC 20004

In re Application of	:	
TEIFEL et al.	:	
Application No.: 10/575,779	:	NOTIFICATION
PCT No.: PCT/EP2004/011655	:	
Int. Filing Date: 15 October 2004	:	
Priority Date: 15 October 2003	:	
Attorney's Docket No.: 062587-5007	:	
For: METHOD OF ADMINISTERING CATIONIC	:	
LIPOSOMES COMPRISING AN ACTIVE DRUG	:	

This notification is in response to applicant's submission filed 28 September 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 15 October 2004, applicant filed international application PCT/EP2004/011655, which designated the U.S. and claimed a priority date of 15 October 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 06 May 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 17 April 2006 (15 April 2006 being a Saturday).

On 14 April 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a copy of a declaration filed in the international application under PCT Rule 4.17(iv).

On 29 December 2006, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that the copy of the declaration filed 14 April 2006 was not in compliance with 37 CFR 1.497(a)-(b) because it did not identify the application to which it was directed and that the surcharge under 37 CFR 1.492(h) was required. The NOTIFICATION also indicated that a "Sequence Listing" as required by 37 CFR 1.821(c) was needed.

On 30 May 2007, applicant filed a submission which was accompanied by, *inter alia*, a petition/fee for a four-month extension of time, the surcharge under 37 CFR 1.492(h), and a number of declarations of inventors.

On 29 August 2007, a Notification was mailed indicating that the declaration of inventors filed 25 June 2007 signed by joint inventor Kurt Naujoks was not sufficient because it contained non-initialed, non-dated alterations and that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) and 37 CFR 1.52(c) executed by Kurt Naujoks was required.

On 28 September 2007, applicants filed the instant submission which included a number of declaration of inventors.

DISCUSSION

The declarations of inventors filed 28 September 2007 are in compliance with 37 CFR 1.497(a)-(b).

As noted in the Notification mailed 29 August 2007, contrary to the NOTIFICATION OF MISSING REQUIREMENTS mailed 29 December 2006, it does not appear that a sequence listing is required.

CONCLUSION

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



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